

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

BIBI DE MALMANCHE,

Plaintiff,

-against-

GLENROCK ASSET MANAGEMENT  
ASSOCIATES, L.P., GLENROCK, INC. and  
REYNARD ASSET MANAGEMENT, INC.,

Defendants.

07-CV-10940 (CM) (KNF)

**NOTICE OF MOTION**

PLEASE TAKE NOTICE that upon the attached Affidavit of Mark J. Hyland, sworn to on June 23, 2008 and on all of the pleadings and prior proceedings had herein, Defendants Glenrock Asset Management Associates, L.P., Glenrock, Inc. and Reynard Asset Management, Inc. (collectively, "Defendants") move this Court, at the United States Courthouse located at 500 Pearl Street, Courtroom 18B, New York, New York 10007, (1) pursuant to Fed. R. Civ. P. 12(c) for an order (a) dismissing the Complaint in its entirety for Plaintiff's failure to comply with the dispute resolution procedure set forth in the contract or, in the alternative, staying the proceedings until Plaintiff has exhausted this remedy; (b) dismissing Plaintiff's claims to the extent Plaintiff seeks recovery for investments concededly introduced by other third-party marketers, and not Plaintiff; (c) dismissing Plaintiff's claim for unjust enrichment; (d) dismissing Plaintiff's claim for an accounting; (2) staying discovery and (3) for such other and further relief the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that opposition papers are to be served within ten business days of service of this motion pursuant to Local Civ. Rule 6.1(b) and Plaintiffs' reply papers are to be served within 5 business days after service of the opposition papers.

New York, New York  
June 23, 2008

SEWARD & KISSEL LLP

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